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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA : CIVIL NO. CV04-2175 LC  
VERSUS : JUDGE TRIMBLE  
DERRICK VAN KINNEY : MAGISTRATE JUDGE SHEM WELL

**JUDGMENT IN REM**

The defendant having been duly served, more than the required number of days having elapsed, and defendant having failed to plead or otherwise defend, default having been heretofore entered, due proof being made, the law and evidence being in favor thereof;

IT IS ORDERED, ADJUDGED AND DECREED that there be judgment **in rem** in favor of plaintiff, United States of America, and against the defendant, Derrick Van Kinney, for the principal interest and amounts set forth below, plus post-judgment interest thereon at the rate of the legal rate as of the date of judgment as specified in 28 U.S.C., paragraph 1961, as follows:

- |    |   |             |
|----|---|-------------|
| A. | Unpaid principal balance on<br>Note dated June 22, 1988   | \$18,509.97 |
| B. | Accrued interest as of August 11, 2004  | \$11,306.91 |
| C. | Cost of Title Opinion dated June 25, 2004   | \$475.00    |
| D. | Cost of Appraisal dated May 30, 2000  | \$650.00    |
| E. | Cost of Real Estate Taxes dated March 3, 2004   | \$ 394.44   |
| F. | Cost of Real Estate Taxes dated April 17, 2001  | \$ 241.23   |
| G. | Cost of Appraisal dated June 5, 2001  | \$ 650.00   |
| H. | Accrued interest form August 11, 2004 at the rate of \$ 4.3105 per day until the<br>Judgment is paid. |             |

with full recognition of plaintiff's special mortgage, lien and privilege upon the properties

described in Exhibit "A" attached hereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said herein above described property be seized and sold by the United States Marshal for the Western District of Louisiana, at public auction, without appraisement, for cash, to the highest bidder, and that out of the proceeds of said sale plaintiff be paid by preference and priority over all other persons whomsoever, the amount of the claim with interest; and that the amount realized herein. Plaintiff shall proceed **in rem** only, and shall have no right to proceed against defendant for any deficiency judgment.

FINALLY, IT IS ORDERED that plaintiff have judgment for all costs of this proceeding.

JUDGMENT RENDERED AND SIGNED on the 24<sup>th</sup> day of August, 2005 at Lake Charles, Louisiana.

  
JUDGE

RESPECTFULLY SUBMITTED:

  
DONNIE L. FLOYD, #3623

Attorney for Plaintiff

17487 Old Jefferson Hwy, Ste. B

Prairieville, Louisiana 70769

Phone: (225) 677-8300

EXHIBIT A

UNITED STATES OF AMERICA  
VERSUS  
DERRICK VAN KINNEY  
CIVIL ACTION NO. CV04-2175 LC

A certain tract or parcel of land, together with all building and improvements, situated thereon, being designated as Lot 22 of Block 2 of the FAIRLAWN SUBDIVISION; said subdivision being located in the Northeast Quarter (SE/4) of Section 14, Township 9 South, Range 9 West, Calcasiau Parish, Louisiana; as per Plat of Survey of the Fairlawn Subdivision prepared by R. E. Oxford, Licensed Surveyor, dated July 14, 1958, together with all improvements and component parts pertaining thereto.